

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	CV 23-6283 PA (ASx)	Date	November 7, 2023
Title	Roann Celis-Capistrano v. Elaine Angelica Linga		

Present: The Honorable	PERCY ANDERSON, UNITED STATES DISTRICT JUDGE
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Kamilla Sali-Suleyman	Not Reported	N/A
Deputy Clerk	Court Reporter	Tape No.
Attorneys Present for Plaintiffs:	Attorneys Present for Defendants:	
None	None	

Proceedings: IN CHAMBERS - COURT ORDER

On October 25, 2023, the Court issued an Order to Show Cause to Plaintiff and her counsel relating to their failure to comply with Local Rule 83-1 (“OSC”). (Docket No. 34.) Rule 83-1 provides that it “shall be the responsibility of the parties to promptly file a Notice of Related Cases whenever two or more civil cases filed in this District: (a) arise from the same or a closely related transaction, happening, or event; (b) call for determination of the same or substantially related or similar questions of law and fact; or (c) for other reasons would entail substantial duplication of labor if heard by different judges.” Local Rule 83-1.3 also states that the Notice of Related Cases “must be filed at the time any case (including a notice of removal or bankruptcy appeal) appearing to relate to another is filed, or as soon thereafter as it reasonably should appear that the case relates to another.”

On February 3, 2023, Plaintiff and her counsel filed a identical complaint against defendant Elaine Angelica Linga in case number CV 23-843 (PD). The OSC noted that when Plaintiff filed her Complaint in this matter, Case No. CV 23-6283 PA (ASx), she did not file a Notice of Related Case, and that the Civil Cover Sheet filed by Plaintiff answered “No” to the questions asking if there is a related or identical case despite Plaintiff having previously filed a identical action in Case No. CV 23-843 (PD). (Docket No. 2.) Plaintiff and Plaintiff’s counsel were ordered to show cause why they should not be sanctioned up to \$2,000.00 for failing to file a Notice of Related Case as required by Local Rule 83-1.3 and for failing to identify this action as identical or related to Case No. CV 23-843 (PD) on the Civil Cover Sheet.

Plaintiff filed her response to the OSC on November 5, 2023. (Docket No. 38.) In her response, Plaintiff does not address her failure to file the Notice of Related Case or the erroneous Civil Cover Sheet when she filed her Complaint in this matter. Nor did she address whether this action is identical or related to Case No. CV 23-843 (PD). Instead, Plaintiff’s response attempts to explain why an entirely different case, Case No. CV 23-7850 JLS (Ex), is not related to CV 23-843 (PD). Plaintiff’s Response thus fails in its entirety to explain why she

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failed to file a Notice of Related Case or identify this action as identical or related to Case No. CV 23-843 (PD) on the Civil Cover Sheet.

Accordingly, the Court orders that Plaintiff and her counsel must pay \$2,000 in sanctions to the Clerk of the Court^{1/} and file a declaration signed under penalty of perjury attesting to compliance with this Order by no later than **November 17, 2023**. Failure to comply with this Order by that date may result in the further imposition of sanctions, up to and including dismissing this action with prejudice.

IT IS SO ORDERED.

^{1/} Alternatively, Plaintiff and her counsel may satisfy the sanction by donating \$1000 in books or school supplies to the children at a public school located within a five-mile radius of the First Street Federal Courthouse, 350 West 1st Street, Los Angeles, California 90012.